

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		ATTORNEY DOCKET NO. <b>70089.0009USD1</b>
		U.S. APPLICATION SERIAL NO. <b>09/961,086</b>
		CONFIRMATION NO <b>6592</b>
		FILING DATE <b>September 21, 2001</b>
INVENTOR(S) <b>Douglas D. ROSS, et al.</b>	EXAMINER <b>SUSAN NMN UNGAR</b>	GROUP ART UNIT <b>1642</b>
TITLE OF APPLICATION <b>BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA WHICH ENCODE IT</b>		

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences the decision of the examiner dated July 12, 2007.

a Request for extension of Time Under 37 C.F.R. 1.136(a) for \_\_\_\_\_ months has been filed.  
 a Request for extension of Time Under 37 C.F.R. 1.136(a) for \_\_\_\_\_ months is attached.  
 a timely response to the final rejection was filed on \_\_\_\_\_.  
 The applicant claims small entity status.

The fee for this Notice of Appeal is: \$510.00.

Please charge Deposit Account No. 13-2725 in the amount of \$510.00 to cover any required fees. In the event any variance exists between this amount and the Patent office Charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
MERCHANT & GOULD, P.C.

October 12, 2007

Date

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